

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION**

TEXAS TECH PHYSICIANS
ASSOCIATES,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, et
al.,

Defendants.

Civ. Action No. 5:16-CV-038-C

**Texas Tech Physicians Associates' Response to
Defendants' Motion for Summary Judgment**

Plaintiff Texas Tech Physicians Associates ("Texas Tech") files this Response to Defendants' Motion for Summary Judgment (Docs. 16-17). In accordance with Local Rule 56.4(b), all of the required matters in Local Rule 56.4(a) will be set forth in Texas Tech's brief filed herewith. For the reasons stated in Texas Tech's brief, Texas Tech respectfully requests that the Court deny the motion for summary judgment filed by Defendants United States Department of Health and Human Services and Thomas E. Price, Secretary of the United States Department of Health and Human Services. Texas Tech further requests such other and further relief to which it is justly entitled.

Respectfully submitted,

By: /s/ Marshall J. Doke, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on the September 5, 2017, a copy of the foregoing was electronically filed on the CM/ECF system, which will automatically serve a Notice of Electronic Filing on all parties registered to receive such service.

/s/ Marshall J. Doke, Jr.

Marshall J. Doke, Jr.